

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
NORTHERN DIVISION
NO. 2:10-CR-16-BO-2
NO. 2:15-CV-29-BO

DWAYNE ALEX MCCASKEY,
Petitioner,

v.

UNITED STATES OF AMERICA,
Respondent.

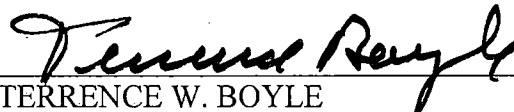
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ORDER

This cause is before the Court on petitioner's motion to vacate under 28 U.S.C. § 2255 and the government's corresponding motion to dismiss. Petitioner argues that, in light of the Supreme Court's decision in *Johnson v. United States*, 135 S.Ct. 2551 (2015), certain of his prior convictions may no longer be available for sentence enhancement purposes.

Pursuant to 15-SO-2, the Office of the Federal Public Defender is APPOINTED to assess the viability of petitioner's *Johnson* claim.

SO ORDERED this 15 day of January, 2016.


TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE